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The Annual Committee of the Convention of ROYAL BOROUGHS,

T O

The several *Boroughs* of SCOTLAND,

By Order of the last General Convention,

For preventing the pernicious Practice of *Smuggling*.

Loving Friends and Neighbours,

THE General Convention of the *Royal Boroughs*, whose Duty and Interest it is to take care of the Commerce and Welfare of the whole, having taken into their serious Consideration, the many Mischiefs that have attended the pernicious Practice of *Smuggling*, to the great Discouragement of all fair Traders, and to the utter Destruction of many Thousands of the unhappy Persons who were engaged therein, whereby Commerce is sunk to the lowest Ebb, and this Part of the Nation wholly drained of Money, and

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impoverished; and having with deep Concern observed, that this destructive Practice may still continue, to the utter Ruin of the Estate of *Boroughs*, as well as of the Country, unless the Eyes of Mankind in general are opened to see the Danger, and unless the Sober and Industrious, who love their Country, and are concerned for its Welfare, can be prevailed on to co-operate with and assist in the Execution of the late Act of Parliament, for the more effectual preventing the *smuggling of Tea, Brandy, &c.* have commanded us, their Annual Committee, to draw up, and to send in their Name to each *Borough*, a Letter, exhorting them to desist from this infamous Trade, and admonishing them of the Hazard they run if they persist in it: And we, in obedience to their Commands, and from the most ardent Desire to prevent the total Destruction of our Country, have drawn up the following Reflexions, to which we earnestly intreat your Attention.

To the End what we offer to your Consideration on this Subject may be the more distinct, we shall confine our Thoughts chiefly to two Articles, *Tea* and *Brandy*, and examine the Disadvantages that attend Commerce in these Commodities, as they affect the Nation in general, as they affect the State of the *Royal Boroughs*, and as they have affected, and must still affect the Adventurers in them.

To begin then with these Subjects of Trade as they affect the Nation: Every one knows, and the Nation by fatal Experience feels, that such immense Quantities of *Brandy*, have now, for many Years, been fraudulently imported without Pay-

Payment of Duty, that the Importers have been obliged to sell *foreign Spirits* cheaper than *Spirits* from our own Corn could be produced ; which has not only put an End to the Distillery of *Spirits* at home, but has even diminished the Brewing-trade, by furnishing *Brandy* for Punch at low Prices.

The Advancement of the Revenue is not the sole Reason for laying high Duties on some sorts of foreign Goods ; a higher and more extensive Consideration produces such Regulations, *namely*, the promoting the Consumption of our own native Commodities, by making the Purchase of foreign Commodities, which answer the same Uses, dearer and more difficult. Now, this salutary and national View has been, by *Smuggling*, in a great measure defeated. *Run Tea* is sold so cheap, that it becomes a regular Part of the Diet of those who could not think of purchasing it, if the Duty were added to the Price ; and the Multitude can hardly be blamed, if they prefer *Brandy* to home-made *Spirits*, when it can be purchased cheaper than our own home-made *Spirits*.

And the obvious Effect of all this, is, That these foreign Commodities being made use of in place of our own, just so much of our own Product becomes useless, as would be employed if these foreign Goods were not imported. If no *Tea* or *Brandy* were imported, People would return to the Diet of their Ancestors ; and, where *Spirits* or strong Drink might be necessary, would make Use of their own ; which needs must have many Consequences to the Advantage of the Nation : But, so long as the Use of *Tea* or *Brandy* is continu-

ed, the Consumption of so much of our own Product ceases; which must make the whole fall in Value, when the Product exceeds considerably the Consumption.

The Disposition to cultivate and improve waste and muirish Grounds, which diffused itself amongst the Gentry all over the Country, was one of the most promising Circumstances that attended the *Union*; but that Spirit has been greatly damped by the low Price of Grain: Nor can any Gentleman be blamed for discontinuing his Improvements, when he can have no Hopes of being repaid by the Product of his Grounds; which, nevertheless, must be the Case so long as Grain continues to give no Price; and it must continue to do so whilst *Tea* and *Brandy* supply the Place of the Liquor and Spirits that might be produced from Grain.

Thus Grain, produced by the Industry of the Farmer, and by the commendable Zeal of the Country Gentleman to improve his own Grounds, and to invite his Neighbours to do the like, turns to no Account. In proportion as the Quantity raised, exceeds the Demand, the Price falls, and the Owner finds himself undone, by the Frauds of those who sell foreign Commodities cheaper than he can afford his.

It is astonishing, that Gentlemen and Farmers have not sooner discovered the Source of the Misfortunes they have so long complained of; and that, on the contrary, they have often, in spite of Law and common Sense, put themselves on the Side of the *Smugglers*, and employed their Servants, their Cattle, and their Carriages, in securing, and carrying through the Country,
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these very Commodities that destroyed the Value of their own, and in some Years annihilated at least one third Part of their Rent.

For, though Grain has lately bore some Price, yet that is manifestly owing to bad Crops at home, or to accidental Demands from our Neighbours; and if the Produce was to be such as in good Seasons is to be expected, without some extraordinary Calamity abroad, it is certain great Part of our Grain must remain undisposed of, which in consequence would lessen the Value of the whole.

Whilst *Flanders* was the Scene where numerous Armies acted, and when the greatest Part of *Europe* was engaged in War, which in some Degree prevented the Culture of the Ground, at the same time that it made a great Demand for Grain to fill Magazines, the *British* Grain, even of the meanest kinds, was of Value; and what remained, after supplying the home Consumption, found vent abroad. But now the Case is strangely altered: The World is in Peace; Countries that were the Seat of War, produce Corns in abundance; even *France* exports Grain to foreign Parts with Advantage; and the Corns of this Country cannot meet with a Market any where upon the Continent; so that it must be made use of at home, or perish.

When our Grain drew Money in foreign Markets, and with that Money the same Quantity of foreign Spirits could be purchased and imported, as could be distilled from the Grain at home, it was perfectly equal to the Country, whether they made use of *Brandy* or *Aqua Vitæ*; that is, whether they consumed the Product of their own Grain in home-made Spirits, or in Spirits distilled in
France:

France: But when *Scots* Grain is not saleable in any foreign Market, and must be either distilled at home, or perish, whoever imports foreign Spirits to prevent that Distillation, ruins so much of the national Product, and purchases that Mischief to his Country, at the Expence of so much Bullion, as the prime Cost and the Expence of the Importation amounts to.

It is notorious, that the *Exchange* with *France* is against us; that the Importation of any of our Commodities saleable there, is under Discouragements; and that our *Brandy* from thence, as well as our *Tea* from *Holland*, is paid for in ready Money, or in Bills of Exchange at great Disadvantage to us, which is worse. Under these Circumstances, it is demonstratively clear, that every Penny we pay for *Tea* or *Brandy* is so much Bullion lost to the Nation unnecessarily, because all the Uses of that *Tea* and *Brandy* might be supplied by our own Product; at the same time that this expensive Importation debases the Value of the Growth of our own Lands.

These Mischiefs, with very slight Attention, might have been foreseen. But at present there is no great Occasion for Reasoning; they are felt. Grain gives no Price, compared with what it did before the immoderate Use of *run Tea* and *Brandy*; and there is hardly one Penny of Coin to be met with in the Nation; the whole is gone, principally in Exchange for that *Tea* and *Brandy* which has destroyed the Value of our own Product.

Another national and very hurtful Consequence that attends this pernicious Trade, is, That Hopes of Gain (which, however plausible, yet have constantly

stantly failed) have drawn many young Men of small Fortunes, whose Parents or Relations resided near the Sea-coasts, into this dangerous sort of Commerce, on the Prospect of *running* their Goods securely, by the Assistance of their Friends; and thereby has diverted them from employing their small Stocks and their Industry in the Advancement of those Manufactures to which the Nation must owe its Wealth, if it ever recover from its present distressed Condition, and thereby has, in a good measure, disqualified them from being useful to their Country.

We look upon it as a very lucky Circumstance, that the Nation is generally convinced of the Injury arising from the running of *Brandy*; and cannot help lamenting, that they do not so universally see the much greater Ruin that attends the *smuggling* of *Tea*. That it is to the *Smuggling* the universal Use of it is owing, must be confessed; because Thousands, who buy and use it at the present low Rate, could not afford to purchase it paying the Duty: And the chief Temptation to the Use of it, is the notorious Lowness of the Price, which is so small, that Men can hardly let it into their Heads, that it is, in any Degree, a national Consideration.

But they do not reflect, that the Price of *run Tea* is the smallest Part of the Expence, when they entertain themselves or their Friends with that *Drug*; the Sugar drops totally out of the Account: That Commodity is very near as much foreign to this Part of the Island as *Tea* is: And if any one will add the Expence of the Sugar to that of the *Tea*, and compute how much both cost each

each Family that makes use of them, (and how many Families in the Kingdom consume *Tea*), his Surprise at the extreme Impoverishment of this Country will cease, and he will wonder more, that there is one Penny of Coin left, than that we have so little.

Were the Laws that relate to *Tea* punctually executed, the Use of it would not totally be destroyed, but it would be mightily restrained: The Rich might entertain themselves with it, as they do with many other unnecessary, nay, noxious Things; but the Duty would put it out of the Reach of the meaner sort of People, who are infinitely the more numerous; and thereby, in a great measure, prevent the national Loss.

Thus we have laid before you some of the national Disadvantages that arise from *smuggling Tea* and *Brandy*. We verily believe, that no honest *Scotsman* would, upon any Temptation, how great soever, have followed that pernicious Trade from the Beginning, could he have foreseen the Extent of the Mischief to his Country: And we must conclude, that whoever shall be so wicked as to pursue it in time coming, after the late Indemnity has discharged past Offences, and after the cruel Effects of it have been so sensibly felt, and are so certainly known, must be contented with the Character of an Enemy to his Country.

The next View we proposed to take of the *Smuggling Trade*, was, as it affects the State of the *Royal Boroughs*. And, in regard to this, every one knows, the Consideration on which the State of *Boroughs* pays one full sixth Part of the Land-tax, is the exclusive Right to foreign Trade to which
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they are (by many Laws, confirmed by the Treaty of *Union*) intitl'd: And if foreign Trade were actually, as it is legally, confin'd to Freemen; if *Royal Boroughs* were the Magazines of all foreign Merchandize, and the Residence of all Dealers in foreign Trade, they might well afford to pay this Proportion of the Tax.

But every one knows, at the same time, that the infamous Practice of *Smuggling* has robbed the *Boroughs* of the Privilege, at the same time that it leaves them groaning under the Burden. The Seacoast, where it can be most conveniently touch'd, is the Scene of *Running*. The Sons or Relations of Gentlemen whose Estates ly near the Coast, are the Importers; their Houses, or those of their Tenants, are the Warehouses for foreign Goods: And whilst Goods can be sold out of those Warehouses cheaper than in *Royal Boroughs*, it is absurd to think, that Freemen can trade without Loss.

Whoever gives the least Attention, must discover, that the Inhabitant of a *Royal Borough* cannot deal in *Running* with half the Advantage an Out-lyer can. In *Royal Boroughs* of any Trade, Ports are fix'd; there is a Customhouse, and a Crowd of Officers, whose Vigilance can no otherwise be avoided than by high *Bribery*; which brings upon the *Smuggling* a considerable Expence: But Out-lyers, in the little Creeks and By-places where they unload their Wares, have no Officers, at least none of any Consequence, to deal with; and trifling Presents, perhaps the Sale of small Parcels of *Wine*, *Brandy* or *Tea*, at prime Cost, secures the Friendship of neighbouring Gentlemen; and consequently secures the *run* Goods against every

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thing, except a Detachment of regular Troops ; which cannot easily at all Times be had, and whose Diligence is frequently eluded, because their Livery discovers them, and gives Time to the *Smugglers*, with the Assistance of the Neighbourhood, to remove their Goods.

Wherefore, if *Smuggling* were a gainful Trade, which an honest Burgeſs ſhould reſolve to follow ; conſulting common Senſe, the firſt Step he ought to take, muſt be, to deſert the *Borough* whereof he is free, and to take up his Reſidence, and make up his Acquaintance, near ſome Creek remote from the Port, where he might *run* and keep his Goods in Safety, till proper Opportunities might be met with of conveying them through the Country, and perhaps into the *Royal Borough* which he had abandoned, there to be retailed by the Burgeſſes, whoſe the Right was to have originally imported them.

Thus, if *Smuggling* take place, the *Royal Boroughs* have done with foreign Trade. It is utterly impoſſible to carry it on in the fair Way, whiſt *Smuggling* ſucceeds in the Neighbourhood ; and the odds is ſo great on the Side of the outlying *Smuggler*, againſt the *Freeman* intending to attempt the *Running* Trade, that whoever projects to follow it, muſt, if his Eyes are open, make the Country, and not the *Borough*, the Scene of his Traffick.

Theſe Reflexions are ſo obvious, and the miſchievous Effects of *Smuggling* are ſo ſenſibly ſeen in the declining Condition of many *Boroughs* lately poſſeſſed of Trade, that it is amazing ſome Remedy has not been found out and applied to this
Evil,

Evil, so dangerous to the State of *Boroughs* in general, as well as pernicious to the Nation : And it is the more amazing, that the only Remedy seems to be in the Hands of those who suffer by the Disease ; and who, nevertheless, out of Indolence, or upon some false Notions, will not apply it.

Were the Freemen of *Royal Boroughs* universally to give up the *Running* Trade, and to acquaint the outlying *Smugglers*, that they must also quit it, and that, if they do not, the Freemen will become Informers ; who can doubt that the Outlyers must desist ? For, not to speak of their Want of Shipping, and of Ability to make up a Cargo without being concerned with some Freemen, it is certain they could not import or sell off Goods of any Value without the Knowledge of Freemen ; and that Knowledge, employed in giving Information to the Officers of the Revenue, must soon put an End to the Mischief : Nay, the Resolution taken, and declared, would infallibly stop the Evil ; because no Outlyer, in his Senses, would thereafter attempt any fraudulent Importation, for fear of Discovery.

The only possible Objection, so far as we can see, that stands in the Way of taking such a Resolution, is the odious Idea that has for some Time been affixed to the Word *Informer* ; and to be sure, whilst all dealt in the same illicit Trade, it was unhandsome in any one to make private Gain by discovering. But if an entire Class of Men, nay, the only Men who have a Right (and that exclusive too) to foreign Trade, shall give up the *Smuggling* Method of carrying it on, to prevent their own undoing, and the undoing of the State

of *Boroughs*; can it at all be found fault with in them, if they do not permit another Set of Men, who have no sort of Right to carry on foreign Trade, to trade fraudulently? and if, after Notice given, they follow all legal Methods to secure foreign Trade to themselves, by putting a Stop to the Frauds of those who would destroy their Privileges, at the same time that they rob the Publick?

Fond, but false Hopes of Gain, made Freemen, soon after the *Union*, fall into the *Running* Trade; and, whilst embarked in it, they durst not complain of Outlyers, tho' they saw them running away with their Privilege, (*i. e.* foreign Trade), for fear of their using the same Weapons that now must be used against them, *viz.* Informations and Discoveries. Experience has since shewed how vain these Hopes were, and how noxious the Trade is to the Nation, as well as to the State of *Boroughs*. Shall the Freemen then, who suffered the Outlyers to gain upon their Privilege out of Necessity, whilst they followed the *clandestine* Trade, sit now quiet? and, when they, for their Parts, must give up all Thoughts of *running*, allow the Outlyers to enjoy all the foreign Trade, for which the *Boroughs* pay, when their enjoying that Trade, and in the fraudulent Way too, disables the Freemen from carrying on any foreign Trade whatever? Surely, whoever has any Regard to the Weal of the *Royal Boroughs*, cannot be patient under such a Circumstance, or think any Method, that is not illegal or dishonest, too rough, to prevent a Mischief so general, and so dangerous.

The last Thing we shall lay before you, is a View of the *Smuggling* Trade, as it affects the unhappy

happy Adventurer. And on this Subject we may appeal to your own proper Knowledge, and to the Knowledge of every one who has been in the least acquainted with the Trade of *Scotland* since the *Union*, what Ruin it has produced, and how many Families it has undone. It is not easy to say, how many Thousands have been concerned in that destructive Trade; but it is very safe to aver, that hardly one Man out of an hundred, who ever dealt in it, escaped being hurt by it, or indeed escaped Ruin, if he did not give it up very soon.

And the Reason is extremely obvious. The strong Expectation of Gain, from the Greatness of the Duty, which was all to be saved, drew Multitudes of Persons with small Stocks, and smaller Correspondence, into the Trade. Those Persons traded above their Stocks, upon Credit afforded them in *France* or *Holland*, and poured in vast Quantities of *Tea* and *Brandy* upon the Country. Could they have sold their Goods at as high a Rate as if they had paid Duty, or near it, which was the Case of the first *Smugglers* just after the *Union*, their Profit would have been great; but, in place of that, when the Importation exceeded the Demand, which happened very soon, they were obliged to sell off their Wares at any Price, as quick as they could, to answer their Bills when they fell due; and *Brandy* came frequently to be sold, with all the Expence and Risk that attends it at present, cheaper than it ever was sold in *Scotland* before the *Union*, when it paid little or no Duty; whereby the Destruction of the Importer became unavoidable.

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Saving the whole Duty on Goods that pay so high as *Brandy, Tea or Wine*, yields a glaring Prospect; but the unhappy *Smuggler* does not consider, or bring into the Account, the Expence of *Running*; the Correspondence he must maintain with Officers, and with the Country; the frequent Occasions for Hush-money, and the accidental Losses by Seizure. Those Drawbacks would prove a considerable Discouragement to the Trade, even were *run Goods* to be sold at the Price they ought to draw paying the Duty: But when, in Reality, the *Smuggler* is obliged to sell his Goods for little more than the prime Cost, because of the excessive Importation beyond the Demand, those Expences not brought to account, gradually consume his Stock; and the first unlucky Seizure completes his Destruction, and leaves him a Burden on the poor Country, which he had, so far as his Credit could go, exhausted of Money by his pernicious Practices.

Had all the Money made use of in *Smuggling*, been employed in carrying on Manufactures at home, the Manufacturer might possibly have lost; but the Nation must surely have gained; whereas every Penny that has been exported for *Tea, Brandy and Wine*, with the Use of which the Country could easily have dispensed, is so much Money lost to the Nation: And when one sees, for Example, a *Smuggler* (who may have been worth, originally, *L. 200*, and who may have traded ten Years) undone, one is not to say, that *L. 200* is lost to the Nation; but the fair Conclusion is, that *L. 2000* of the national Money is exported by him; because, if he have traded annually to the Value of his

his Stock, every Year's Trade was so much Loss to the Country.

'Tis therefore surely high Time for the *Smuggler* to leave off this consuming Trade ; and, though his Eyes have not hitherto been open to the Misery of his Country, and to his own Danger, through his Practices, it is to be hoped the late Act *for preventing Smuggling*, will shew the Impossibility of continuing in that abominable Course without immediate Destruction. It is penal to be found within two Leagues of the Coast with prohibited Goods on board ; all Keepings and such fast Places must be open to the Officers Search ; high Penalties attend every Offence : And, if the Country Gentlemen, who are generally in the Commission of the Peace, do not shut their Eyes upon their own Interest, and on the Interest of their Country, but will act with proper Vigour, it must become absolutely impracticable for a *Runner* of Goods to escape Ruin.

And, if the extreme Danger, which from henceforward must attend this infamous Commerce, should put an End to it, the necessary Consequence must be, that the Money now exported in Exchange for useless Commodities, which serve only to lower the Value of our own, will be kept at home, and employed in promoting, purchasing, and exporting those Manufactures by which alone our Country can be recovered from Poverty ; and foreign Trade will be restored to its ancient Channel, the *Royal Boroughs*, to which of Right it belongs. When Business is carried on in an open, undisguised Manner, the fair Trader, who has too much Virtue to submit to Perjury, and too much

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Prudence to submit his Fortune to Chance, can reassume his Vocation, and form Projects of Trade, without the Hazard of being undone by that Bane of all honest Commerce, the *Smuggler*.

Our Reflexions hitherto have been pretty much confined to the Case of *Tea* and *Brandy*, which we have chosen as the Instances in which the Mischiefs of *Smuggling* are the most conspicuous; but you will certainly carry them further in your own Minds, and see that they apply to almost all other foreign Commodities, the Use whereof can be dispensed with, and that are run to avoid Payment of Duties; and particular to *Wine*. No Man can say, that it is the Interest of this Nation, to have great Quantities of *Wine* consumed in it, in exclusion of Beer and Ale, which naturally would supply its place. No Man can deny, that the Lowness of the Price of *Wine* is the great Inducement to Men of low Rank and small Fortunes to deal in it; and therefore no Man can doubt it is to be wished it bore a higher Price, (if it cannot absolutely be prohibited), to prevent the too great Consumption of it. If no *Wine* were imported without Payment of Duty, it surely could not be afforded so cheap as it is at the Out-ports; and therefore one should think it follows unavoidably, that it is the Interest of the Nation that all *Wine* should pay the Duty.

As it is the Interest of the Nation, it is no less so of the fair Trader, who cannot possibly carry on his Business if he is underfold, as he must be when *Smuggling* prevails. A clear Conviction of this Truth, determined the *Wine* Traders of *Edinburgh*, some Years ago, by unanimous Consent, to
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enter every Drop of their *Wines*, which they have done ever since; and, in consequence of that fair Practice, have avoided the many Losses and Disappointments they were formerly exposed to, and trade in *Wine* at as great a Certainty as in any other sort of perishable Commodity.

Whereas, in the Out-ports, where almost all the *Wine* imported is *run*, the Price is frequently very low. The *Smuggler* is often obliged to sell Hogsheads, which cannot be so easily hid or transported as *Tea* or *Brandy*, for what he can at the time get for them. Accidents spoil the Liquors, and accidental Seizures undo the Adventurer. In these Circumstances, it will be the Height of Madness to think of carrying on any more the Trade of *running Wine*: It will be, by much, less worth dealing in, when *Smuggling* in the other Articles ceases; and the Customhouses will be much better able to look after this Branch of Thieving, when they are not necessarily engaged in correcting the others. Besides that, as it is their Duty to take care of the Execution of the Law lately made, we are credibly informed the Commissioners have come to a Resolution, to bring Things in the Out-ports, with respect to the Importation of *Wine*, to the same Foot on which they stand at the Port of *Leith*; that, after *Michaelmas*, they will stand at no Expence to prosecute Offenders; and that if, after that time, a single Hogshead of *Wine* shall be imported without Entry, and Payment of Duty, they will prefer *English* Bills for discovering and recovering that Duty, which this Nation has not hitherto been much acquainted with. What Inconveni-

ence this would produce to Men who should be so unhappy as to pursue fraudulent Courses after Notice, we leave to you, to themselves, and to the whole World to judge.

Thus, loving Friends and Neighbours, we have executed the Commands laid upon us by the *General Convention*; and we obtest and conjure you, by the Love you bear to your Country, by the Regard you have for the Weal and Prosperity of the *Boroughs*, and for the Preservation of their Rights and Privileges, and by the Compassion you owe to the unhappy Circumstances of your heedless Friends and Neighbours, who may be ready to plunge afresh into this Gulph of Destruction, that you will exert yourselves in your several Capacities, whether as Men or as Magistrates, to put, at once, an End to this dangerous Mischief, and that you will not think any Trouble too great, or any Means, if lawful, improper to accomplish this important Design. We are,

Right Honourable,

Your most humble Servants,

and affectionate Brethren,

The Annual Committee of the
Royal Boroughs of Scotland.

Edinburgh, Sept. 3. 1736.
Signed in their Presence, and
by their Appointment,

ALEX. WILSON *Preses.*

